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12/21/01



UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
25,290-A US1

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

HIGH THROUGHPUT SCREENING OF GENE FUNCTION USING LIBRARIES FOR FUNCTIONAL GENOMICS APPLICATIONS

and invented by:

Ronald VOGELS, Abraham BOUT, Helmuth VAN ES, and Govert SCHOUTEN

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/358,036

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/097,239

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements☒ Filing fee as calculated and transmitted as described below☒ Specification having 135 pages and including the following:

- a. ☒ Descriptive Title of the Invention
- b. ☒ Cross References to Related Applications (if applicable)
- c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
- d. ☐ Reference to Microfiche Appendix (if applicable)
- e. ☒ Background of the Invention
- f. ☒ Brief Summary of the Invention
- g. ☒ Brief Description of the Drawings (if drawings filed)
- h. ☒ Detailed Description
- i. ☒ Claim(s) as Classified Below
- j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 61
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
- ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
- ☐ Computer Program in Microfiche *(Appendix)*
7. ☒ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☒ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL875291670US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☒ Additional Enclosures (please identify below):

Revocation of Power of Attorney and Substitute Power of Attorney from parent application
Request for Transfer of the Previously Filed Sequence Listing Information under M.P.E.P. 2422.05

**NOTE: THE ENCLOSED PRELIMINARY AMENDMENT CONTAINS THE ENTRY OF
FORMAL DRAWINGS INTO THE APPLICATION**

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

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Docket No.
25,290-A US1

Total Pages in this Submission

Fee Calculation and Transmittal


CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	76	- 20 =	56	x \$18.00	\$1,008.00
Indep. Claims	7	- 3 =	4	x \$84.00	\$336.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$2,084.00

- ☒ A check in the amount of **\$2,084.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-5425** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **December 21, 2001**

CC:


Signature
Patrick J. Kelly, Ph.D., Esq., Reg. No. 34,638
SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
215.923.4466 - Telephone
215.923.2189 - Facsimile

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **R. VOGELS, A. BOUT, H. VAN ES, and G. SCHOUTEN**

Docket No.

25,290-A US1

Serial No.

As yet unassigned

Filing Date

Herewith

Examiner

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Group Art Unit

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Invention: **HIGH THROUGHPUT SCREENING OF GENE FUNCTION USING LIBRARIES FOR
FUNCTIONAL GENOMICS APPLICATIONS**

I hereby certify that this **Divisional application and all associated papers are**
(Identify type of correspondence)

being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on **December 21, 2001**
(Date)

Ryan P. White

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EL875291670US

("Express Mail" Mailing Label Number)

LAW OFFICES OF
SYNNESTVEDT & LECHNER LLP
2600 ARAMARK TOWER
1101 MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL synnlech@synnlech.com
www.synnlech.com

December 21, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of Vogels, R. et al.
Application No. As yet unassigned
Filed Herewith


Anticipated Examiner: J. Ketter
Anticipated Art Unit: 1636

HIGH THROUGHPUT SCREENING OF
GENE FUNCTION USING ADENOVIRAL
LIBRARIES FOR FUNCTIONAL GENOMICS APPLICATIONS

Attorney Docket No. 25,290-A US1

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as Express Mail Post Office to Addressee, Mailing Label No. EL875291670US, in an envelope addressed to: Commissioner for Patents, BOX PATENT APPLICATION, Washington, DC 20231 on December 21, 2001.


Ryan P. White

Commissioner for Patents
Box Patent Application
Washington, DC 20231

**REQUEST FOR TRANSFER OF THE PREVIOUSLY FILED
SEQUENCE LISTING INFORMATION UNDER M.P.E.P. §2422.05**

Sir:

The paper copy of the Sequence Listing in this application filed herewith (Application No. not yet assigned), is identical to the computer readable copy of the Sequence Listing filed in parent Application No. 09/358,036, filed July 21, 1999. In accordance with 37 CFR

Application No. As yet unassigned
Page 2

December 21, 2001

§1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included in the originally-filed specification of the instant application.

Respectfully submitted,



Patrick J. Kelly, Ph.D.
Registration No. 34,638

SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
(215) 923-4466

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